

TRULINCS 75967510 - JONES, CHIHEAN - Unit: PHL-D-N

FROM: 75967510

TO:

SUBJECT: Motion to Dismiss Indictment

DATE: 03/04/2024 07:23:26 PM

IN THE UNITED STATES DISTRICT COURT IN THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)

CASE NO. 23-215

v.)

Honorable Judge Ange Kelly Brishom Hodge

CHIHEAN JONES)

MOTION TO DISMISS THE INDICTMENT/MOTION TO DISMISS THE CASE

Now here comes defendant, Chihean Jones, pro se, respectfully requesting this honorable District Court to dismiss the indictment and dismiss the case.

This motion is being made in good faith for the following reasons:

Defendant petitions to this honorable court in an effort to protect his constitutional rights to due process of law, which is protected by the 5th Amendment of the United States Constitution.

Defendant also wishes to protect himself against cruel and unusual punishment, which offends the 8th Amendment of the United States Constitution

Furthermore, it is also defendant's belief that he has the right to challenge the grand jury. see Federal Criminal Procedures Rule 6(b)(1).

It is defendant's belief that he had the right to be present at the selection of the grand jury. See note to subdivision (b)(1) or Exhibit A.

It is defendant's belief that according to the note to subdivision (b)(1)...it states that "the defendant held for action of the grand jury shall receive notice of the time and place of the impaneling of a grand jury or, that defendants in custody shall be brought to court to attend at the selection of the grand jury..."

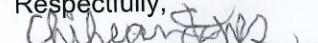
Defendant contends that he never received notice nor was he brought to court to attend the selection of the grand jury, therefore, this is a clear violation of defendant's right to due process of law, which is protected by the 5th Amendment of the United States Constitution, thus, this violation of due process of law destroyed the court's subject-matter jurisdiction.

Thus, defendant contends that once the subject-matter jurisdiction was destroyed, anything that occurred thereafter is void, therefore, the indictment brought is brought outside of the court's subject-matter jurisdiction.

Moreover, defendant respectfully requests this honorable court to grant this motion. Defendant prays that this motion is granted, to dismiss the indictment, and arrest the case.

I, Chihean Jones, declare under the penalty of perjury, that the foregoing is true and correct.

Respectfully,



Chihean Jones

4 March 2024.

Chihean Jones
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